

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation  
or Suspension of the Educator  
Certificate of Jerry P. Seale,  
Certificate 098536

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**ORDER OF  
SUMMARY SUSPENSION**

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on November 14, 2007. In accordance with S.C. Code Ann. § 1-23-370(c) (2005), the State Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Jerry P. Seale, certificate 098536, as a result of his arrest on September 4, 2007, Mecklenburg County, North Carolina. Mr. Seale was charged with four counts of Sex Offense with a Student, a felony offense in North Carolina. The Department has reason to believe that, due to the nature of the allegations of misconduct against Mr. Seale, he poses a threat to the public health, safety, or welfare of students. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Seale's certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Mr. Seale of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

**FINDINGS OF FACT**

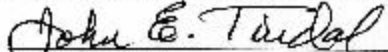
Mr. Seale holds a professional South Carolina educator certificate and has thirty years of teaching experience. He is a resident of Rock Hill, South Carolina. Mr. Seale was previously employed as a biology teacher at Derita Alternative School in Charlotte, North Carolina, and resigned from this employment. On September 4, 2007, Mr. Seale was arrested in Mecklenburg County, North Carolina and charged

with four counts of Sex Offense with a Student, a felony offense in North Carolina. These allegations are based upon an investigation conducted by the Mecklenburg County Sheriff's Office. As a result of these allegations and subsequent arrest, the State Board finds Mr. Seale poses a threat to the public health, safety and welfare of students and others and that emergency action is required.

#### **CONCLUSIONS OF LAW**

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States, any conduct involving moral turpitude and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp. 2006). In accordance with S.C. Code Ann. § 1-23-370(c) (2005), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." The State Board finds that emergency action is required as there is reason to believe that Mr. Seale poses a threat to the public health, safety and welfare of students and others. Accordingly, the State Board summarily suspends Mr. Seale's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education

By:   
John E. Tindal  
Chair

Columbia, South Carolina  
November 14, 2007